

Journal of the House

Wednesday, February 10, 2010

At one o'clock in the afternoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rev. Petger Plagge of the Congregational Church, Waterbury, Vt.

Committee Bill Introduced

H. 760

Rep. Sweaney of Windsor, for the committee on Government Operations, introduced a bill, entitled

An act relating to the repeal or revision of certain boards and commissions

Which was read the first time and, under the rule, placed on the Calendar for notice tomorrow.

Senate Bill Referred

S. 280

Senate bill, entitled

An act relating to prohibiting texting while operating on a highway;

Was taken up, read the first time and referred to the committee on Judiciary.

Joint Resolution Referred to Committee

J.R.H. 37

Joint resolution urging Entergy Nuclear Vermont Yankee LLC and any other owner of Vermont Yankee to establish a restricted account for employee retraining following the closure of the nuclear power plant in Vernon

Offered by: Representatives Edwards of Brattleboro, Aswad of Burlington, Bohi of Hartford, Botzow of Pownal, Burke of Brattleboro, Clarkson of Woodstock, Davis of Washington, Donovan of Burlington, Emmons of Springfield, French of Randolph, Haas of Rochester, Lanpher of Vergennes, Larson of Burlington, Lenes of Shelburne, Lippert of Hinesburg, Marek of Newfane, Martin of Springfield, Milkey of Brattleboro, Mook of Bennington, Moran of Wardsboro, Mrowicki of Putney, Nuovo of Middlebury, Partridge of Windham, Pellett of Chester, Ram of Burlington, Smith of Mendon, Spengler

of Colchester, Stevens of Waterbury, Sweaney of Windsor, Till of Jericho, Weston of Burlington and Wizowaty of Burlington

Whereas, the Vermont Yankee nuclear power plant in Vernon began operating in 1972 in accordance with a federal granted license that terminates effective March 21, 2012, and

Whereas, unlike other businesses, the owners and management of the plant have known from the day the first kilowatt of electricity was generated that the facility's existence was for a definitive time duration, and

Whereas, although the plant's present owner, Entergy Nuclear, has petitioned the Nuclear Regulatory Commission and the Vermont Public Service Board to relicense Vermont Yankee for an additional 20 years, there remains a real possibility that the plant will cease operating in two years on the date the original license expires, and

Whereas, although the decommissioning of a nuclear power plant necessitates the retention of approximately two-thirds of the current employees and the hiring of engineers, technicians, administrative staff, security guards, and others to ensure that the plant's closure is conducted safely and in compliance with federal and state laws, credible estimates indicate that approximately one-third of the current jobs will disappear the day Vermont Yankee stops generating electricity, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges Entergy Nuclear Vermont Yankee LLC and any other owner of Vermont Yankee to establish a restricted account for employee retraining following the closure of the nuclear power plant in Vernon, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Chief Executive Officer of Entergy Nuclear Vermont Yankee LLC.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on Natural Resources and Energy.

Joint Resolution Placed on Calendar

J.R.H. 38

Joint resolution relating to the use of the state house for the Green Mountain Boys' State Program

Offered by: Representatives Lawrence of Lyndon, Koch of Barre Town, Ainsworth of Royalton, Marcotte of Coventry, Reis of St. Johnsbury and Turner of Milton

Whereas, the Green Mountain Boys' State Program brings together high school boys from all areas of Vermont to our capital city in order to view and experience firsthand the workings of state government, and

Whereas, the lessons these students learn at Boys' State Program make a significant contribution to their future growth as valuable citizens and leaders of our state, now therefore be it

Resolved by the Senate and House of Representatives:

That the Sergeant at Arms shall make available the House and Senate chambers and all committee and meeting rooms of the state house for the Green Mountain Boys' State Program on Thursday, June 24, 2010, from 8:00 a.m. to 4:15 p.m.

Which was read and, in the Speaker's discretion, placed on the Calendar for action tomorrow under Rule 52.

Joint Resolution Referred to Committee

J.R.H. 39

Joint resolution urging Congress not to pursue legislation authorizing individuals to purchase health insurance across state lines

Offered by: Representatives Poirier of Barre City, Bray of New Haven, Martin of Springfield, O'Brien of Richmond, Spengler of Colchester, Taylor of Barre City, Till of Jericho and Wizowaty of Burlington

Whereas, Vermont law has required guaranteed issue of health insurance policies in the small group and individual markets since 1992, which means that an insurer cannot reject a Vermont resident's application for health insurance based on the individual's health status or medical conditions, and

Whereas, Vermont law has required community rating in the small group and individual markets since 1992, and

Whereas, most other states do not require guaranteed issue, community rating, or other consumer protections afforded to Vermont residents by law, and

Whereas, allowing the purchase of health insurance across state lines will likely result in many healthy people purchasing insurance out of state where their policies may be rescinded if they become sick, leading them to purchase guaranteed-issue health insurance policies in Vermont, which

would create a very sick Vermont risk pool that would be expensive to insure and would increase the cost of health insurance in Vermont, and

Whereas, Vermont has had mental health parity laws in place since 1997 which provide greater protections than federal and many state laws, and

Whereas, out-of-state insurers are already authorized to sell policies in Vermont and across the United States but have chosen not to offer health insurance in Vermont's small group and individual health insurance markets because of the requirements of guaranteed issue and community rating, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges Congress not to pursue legislation authorizing individuals to purchase health insurance across state lines, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Vermont Congressional Delegation.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on Health Care.

Joint Resolution Adopted in Concurrence

J.R.S. 48

By Senator Shumlin,

J.R.S. 48. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 12, 2010, it be to meet again no later than Tuesday, February 16, 2010.

Was taken up read and adopted in concurrence.

Rules Suspended; Favorable Report; Third Reading Ordered

J.R.H. 34

On motion of **Rep. Komline of Dorset**, the rules were suspended and Joint resolution, entitled

Joint resolution in support of the New England Secondary School Consortium;

Appearing on the Calendar for notice, was taken up for immediate consideration.

Rep. Peltz of Woodbury, for the committee on Education, to which the resolution had been referred reported in favor of its passage.

Thereupon the resolution was read the second time and third reading ordered.

Third Reading; Bill Passed

H. 507

House bill, entitled

An act relating to fostering connections to success in guardianships

Was taken up, read the third time and passed.

Third Reading; Bill Passed

H. 517

House bill, entitled

An act relating to approval of an amendment to the charter of the Village of Enosburg Falls

Was taken up, read the third time and passed.

Joint Resolution Adopted

J.R.H. 36

Joint resolution, entitled

Joint resolution urging Congress to create a cleaner and greener standard for heating oil in the Northeast and to extend the federal tax credit for biodiesel fuel;

Was taken up and adopted on the part of the House.

Message from the Senate No. 12

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Mr. Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

S. 90. An act relating to representative annual meetings.

S. 286. An act relating to challenges for change.

In the passage of which the concurrence of the House is requested.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

H.C.R. 230. House concurrent resolution congratulating the 2009 Windsor High School Yellow Jackets Division III championship football team.

H.C.R. 231. House concurrent resolution honoring Tanner Dow for his artistic and literary accomplishments.

H.C.R. 232. House concurrent resolution in memory of Representative Richard Hube of Londonderry.

H.C.R. 233. House concurrent resolution congratulating the Windsor High School Yellow Jackets 2009 Division II field hockey championship team.

H.C.R. 234. House concurrent resolution congratulating the Shelburne Community School Wind Ensemble on its selection as a participant in the 25th annual Walt Disney World's Magic Music Days.

H.C.R. 235. House concurrent resolution congratulating Front Porch Forum, Inc. on its 10th anniversary.

H.C.R. 236. House concurrent resolution honoring Brittany Gilbert for her remarkable humanitarian work in Haiti.

H.C.R. 237. House concurrent resolution congratulating all Vermonters competing for the United States in the 2010 Olympics in British Columbia.

Adjournment

At one o'clock and thirty minutes in the afternoon, on motion of **Rep. Komline of Dorset**, the House adjourned until tomorrow at one o'clock in the afternoon.